

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

This opinion (1) was not written for publication and (2) is not binding precedent of the Board.

Paper 43

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

ROBERT L. WETEGROVE, KRISHNA BALAKRISHNAN
and RICHARD E. BRUEHL,

Junior Party,
(Patent 5,593,850),

v.

PAULINE WEATHERBY and WILLIAM H. STEMSON,

Senior Party
(Application 08/296,272).

Patent Interference No. 103,856

Before: McKELVEY, Senior Administrative Patent Judge, and SCHAFER and LEE, Administrative Patent Judges.

SCHAFER, Administrative Patent Judge.

FINAL DECISION

For the reasons stated in the decision on preliminary motion entered today, we hold that an interference-in-fact does not exist between the claims of senior party Weatherby and junior party Wetegrove.

On the present record, senior party, Pauline Weatherby and William H. Stemson, is entitled to a patent including claims 3, 4, 9 and 12 through 15 of application 08/296,272 and junior party, Robert L. Wetegrove, Krishna Balakrishnan, and Richard E. Bruehl, is entitled to patent claims 1 through 14 of patent 5,593,850.

FRED E. McKELVEY

Senior Administrative Patent Judge

RICHARD E. SCHAFER

Administrative Patent Judge

JAMESON LEE

Administrative Patent Judge

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